

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

In re: Maria I. Gongora a/k/a Maria Irene
Gongora a/k/a Maria Gongora,
Debtor.

Nationstar Mortgage LLC d/b/a Mr. Cooper
as servicer for Federal Home Loan Mortgage
Corporation, as trustee for Freddie Mac
Seasoned Credit Risk Transfer Trust, Series
2017-4, as owner of the Related Mortgage
Loan,

Movant,

v.

Maria I. Gongora a/k/a Maria Irene Gongora
a/k/a Maria Gongora,
Debtor,

Robert P. Sheils, Jr., Trustee,
Additional Respondent.

CHAPTER 7

BANKRUPTCY CASE NUMBER
18-03534/JJT

11 U.S.C. § 362

**MOTION OF NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER AS SERVICER
FOR FEDERAL HOME LOAN MORTGAGE CORPORATION, AS TRUSTEE FOR
FREDDIE MAC SEASONED CREDIT RISK TRANSFER TRUST, SERIES 2017-4, AS
OWNER OF THE RELATED MORTGAGE LOAN FOR RELIEF FROM THE
AUTOMATIC STAY UNDER SECTION 362 (d)**

Movant, Nationstar Mortgage LLC d/b/a Mr. Cooper as servicer for Federal Home Loan Mortgage Corporation, as trustee for Freddie Mac Seasoned Credit Risk Transfer Trust, Series 2017-4, as owner of the Related Mortgage Loan ("Movant"), hereby moves for relief from the automatic stay under section 362(d) and, by its undersigned counsel, avers the following in support of the said motion:

1. Debtor, Maria I. Gongora a/k/a Maria Irene Gongora a/k/a Maria Gongora ("Debtor"), filed a petition under Chapter 7 of the Bankruptcy Code in the Middle District of Pennsylvania under the above case number.
2. The filing of the aforesaid Petition operated as an automatic stay under Section 362(a) of the Bankruptcy Code of proceedings to foreclose the mortgage on the Mortgaged Premises.

3. Nationstar Mortgage LLC d/b/a Mr. Cooper is the holder of a secured claim against Debtor secured only by a first mortgage lien on real estate which is the principal residence of Debtor located at 110 Riverfront Terrace a/k/a 89 River Court, Pocono Lake, PA 18347 (the "Mortgaged Premises").
4. Nationstar Mortgage LLC d/b/a Mr. Cooper services the loan on the property referenced in this motion for relief. In the event the automatic stay in this case is modified, this case dismisses and/or the debtor obtains a discharge and a foreclosure action is commenced on the mortgaged property, the foreclosure will be conducted in the name of for Federal Home Loan Mortgage Corporation, as trustee for Freddie Mac Seasoned Credit Risk Transfer Trust, Series 2017-4, as owner of the Related Mortgage Loan.
5. Nationstar Mortgage LLC d/b/a Mr. Cooper, directly or through an agent, has possession of the promissory note. The promissory note is either made payable to Noteholder or has been duly indorsed in blank. Noteholder is the original mortgagee, or beneficiary, or the assignee of the security instrument for the referenced loan.
6. Debtor has not claimed an exemption in the subject property.
7. Debtor has failed to make pre-petition and all post-petition monthly mortgage payments.
8. The defaults include the following monthly payments and charges:
 - a) Payments of \$1,150.73 from July 1, 2018 through August 1, 2018 which totals \$2,301.46;
 - b) The total amount due (8(a) through 8(a) combined) is \$2,301.46
9. The Fair Market Value of the Property is \$75,000.00, as per Debtor's Schedules. The approximate amount necessary to pay off the loan is \$206,589.33 good through August 29, 2018. The breakdown of the payoff is as follows:

Principal Balance	\$131,540.10
Accrued Interest	\$640.28
Corporate Advances	\$74,408.95

10. Movant is entitled to relief from the automatic stay because of the foregoing default and because:
 - a) Movant, as a holder of the first mortgage lien securing a debt owed by Debtor lacks adequate protection for its interests in the Mortgaged Premises;
 - b) Debtor does not have any equity in the Mortgaged Premises; and

- c) The Mortgaged Premises are not necessary to an effective reorganization or plan.
- 11. Debtor has indicated in their Chapter 7 Statement of Intention that they wish to surrender the Property.
- 12. Movant requests that the Court waive Rule 4001(a)(3), permitting Movant to immediately implement and enforce the Court's order.
- 13. Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase order, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements in support of right to seek a lift of the automatic stay and foreclose if necessary.

WHEREFORE, Movant respectfully moves this Court for an Order (i) granting Movant relief from the automatic stay to foreclose upon and to otherwise exercise and enforce its rights with respect to the Mortgaged Premises, (ii) awarding reasonable attorneys' fees incurred in the preparation and presentation of this motion, and (iii) granting all such other and further relief as the Court deems appropriate and necessary. A proposed order to such effect is submitted herewith.

Respectfully submitted,

Dated: September 17, 2018

S&D File #:18-060609

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